

UNITED STATES DISTRICT COURT

for the

Middle District of North Carolina

United States of America
v.
BOBBY RASHAWN GRIER

Case No.

1:23MJ 26*Defendant(s)*

FILED
in the Middle District of
North Carolina

January 12, 2023
6:37 pm

Clerk, US District Court
By: kg

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of Jaunaury 11, 2023 in the county of Forsyth in the
Middle District of North Carolina, the defendant(s) violated:

*Code Section**Offense Description*

21 U.S.C. § 841(a)(1)

Knowingly or intentionally, manufacture, distribute, or dispense, or possess
with the intent to manufacture, distribute, or dispense a controlled substance

18 U.S.C. § 924(c)

Possession of a Firearm in Furtherance of a drug trafficking crime

This criminal complaint is based on these facts:

See Affidavit

☒ Continued on the attached sheet.

On this day, the applicant appeared before me via reliable
electronic means, that is by telephone, was placed under
oath, and attested to the contents of this Criminal
Complaint and attached affidavit in accordance with the
requirements of Fed. R. Crim. P. 4.1.

/S/ RUSSELL JOHNSON

Complainant's signature

Russell Johnson, Special Agent, ATF

Printed name and title

Date:

1/12/2023

City and state:

Winston-Salem, North Carolina

Judge's signature

Joi Elizabeth Peake, U.S. Magistrate Judge

Printed name and title

**AFFIDAVIT OF SPECIAL AGENT RUSSELL JOHNSON
IN SUPPORT OF APPLICATION FOR ARREST WARRANT**

I, Russell Johnson, a Special agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF"), being duly sworn, state as follows:

AFFIANT'S EXPERIENCE

1. I am an investigative or law enforcement officer of the United States, within the meaning of Title 18, United States Code, Section 2510(7) and am empowered by law to conduct investigations of and to make arrests for offenses enumerated in Title 18, United States Code, Section 2516.

2. As a law enforcement officer, I have used and/or participated in a variety of methods investigating firearms and narcotics related crimes, including, but not limited to, visual surveillance, witness interviews, the use of search warrants, confidential informants, undercover agents, pen registers/trap and trace devices, and mobile tracking devices. Based upon information gained through this investigation and others pertaining to firearm trafficking activities of the participant in this investigation, I am familiar with the ways firearm traffickers conduct their business. My familiarity includes the various means and methods by which firearm traffickers acquire and distribute their firearms, their use of cellular telephones, and their use of vehicles in furtherance of firearms trafficking and money transactions.

PURPOSE OF AFFIDAVIT

3. This affidavit is made in support of an application for a criminal complaint for Bobby Rashawn Grier.

4. I have probable cause to believe that Grier did possess a firearm in furtherance of a drug trafficking crime, in violation of 18 U.S.C. § 924(c), specifically Possession with Intent to Distribute a Controlled Substance, marihuana, 21 U.S.C. § 841(a)(1).

THE INVESTIGATION – FACTUAL BACKGROUND

5. Because this affidavit is being submitted for the limited purpose of establishing probable cause for a criminal complaint, I have not included each and every fact known to me concerning this investigation. I have set forth facts that I believe are necessary to establish probable cause of violation of federal criminal offense, specifically 18 U.S.C. § 924(c) and 21 U.S.C. § 841(a)(1).

PROBABLE CAUSE

6. On December 30, 2022, United States Magistrate Judge, Middle District of North Carolina, L. Patrick Auld issued a search warrant, Case No: 1:22MJ538, for the residence of Grier, 127 Lemly Street SW, Winston Salem, North Carolina 27127. The search was related to violations of 18 U.S.C. § 924(c) and 21 U.S.C. § 841(a)(1) based on an undercover transaction in October 2022 and consistent social media postings captured by ATF between October 24, 2022 and December 18, 2022. The social media posts contained

photographs and videos posted by Grier that depicted himself, large amounts of marihuana, and multiple firearms.

7. On January 9, 2023, agents were notified that the United States Postal Service intercepted a package and utilized a narcotics detection canine to inspect the package. The narcotics detection canine positively alerted on the package. On January 10, 2023, United States Magistrate Judge, Middle District of North Carolina, Joi Elizabeth Peake issued a search warrant, Case No: 1:23MJ17, for the package.



8. During the United States Postal Service's search of the package, they recovered approximately 2.76 kilograms of marihuana. Following the search of the package, the United States Postal Service resealed the package.

9. On January 11, 2023, an undercover United States Postal Service (hereinafter, UC) delivered the package to 127 Lemly Street SW. When the UC made it to the door of the residence, a family member allowed the UC to place the package inside the residence.

10. Following the package delivery, ATF waited approximately 45 minutes before executing the search warrant at 127 Lemly Street SW, Winston-Salem, North Carolina 27127. Once inside the residence, agents encountered two (2) of Grier's family members to include the family member who accepted the package. Grier was not present at the residence at the time of the search warrant. An agent interviewed the family members, and both identified the rear, left bedroom as "Bobby's" (Grier) and confirmed that he resides at the location. Both family members positively identified Grier via a state of North Carolina driver's license photograph. Both family members denied opening the package, knowing what was contained within, or knowing the name listed as the recipient of the package. The family members stated Grier had left the residence, earlier this same date, at approximately 12:00 p.m. One of the family members indicated that multiple individuals come and go from the residence.

11. During the search of the residence, the following evidentiary items were recovered:

- a. Grier's bedroom- money counter;
- b. Grier's bedroom- DTI, model DTI-15, 5.56 caliber pistol, serial number DTI-S228914, loaded with twelve (12) rounds of 5.56 caliber ammunition;
- c. Grier's bedroom- Extended Glock magazine;
- d. Grier's bedroom- 28 assorted rounds of ammunition;

- e. Grier's bedroom- Approximately 1.86 kilograms of marihuana;
- f. Grier's bedroom- \$2,550 in United States currency in multiple denominations;
- g. Grier's bedroom- State of North Carolina Identification Card in Grier's name;
- h. Grier's bedroom- High School sports award in Grier's name;
- i. Under kitchen sink- numerous vacuum seal bags common with narcotics trafficking;
- j. On top of microwave in kitchen- vacuum sealer common with narcotics trafficking;
- k. Hallway- bag of marihuana;
- l. Hallway- approximately 98 grams of cocaine hydrochloride;
- m. Hallway- approximately three (3) grams of fentanyl; and
- n. Hallway- approximately 88 grams of an unidentified suspected narcotic.

12. The DTI firearm, loaded with the twelve (12) rounds of ammunition, was propped against the wall in Grier's bedroom and in the opposing corner was the approximately 1.86 kilograms of marihuana. The hallway in which the cocaine hydrochloride, fentanyl, and unidentified suspect narcotics were located in the hallway located immediately outside of Grier's bedroom. The United States currency was also located in Grier's bedroom.

13. Following the search warrant, ATF further inspected the recovered the firearm and compared it to previous social media postings. The

firearm had a distinct, camouflage magazine. The photograph on left is from Grier's social media. Based on a review, it appears that Grier is in possession of a handgun and a AR Style pistol with a distinctive camouflage magazine. This photo was posted on or about December 14, 2022. Based on a review of social media postings, the picture on the left appears to have been taken in the kitchen area of 127 Lemly Street SW. The photographs on the right and in the middle were taken during the search warrant.



CONCLUSION

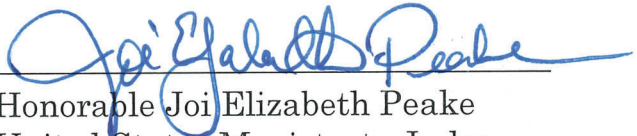
14. Based on the foregoing facts and circumstances, I respectfully submit that there is probable cause to believe that on January 11, 2023, within the Middle District of North Carolina, Bobby Rashawn Grier committed the following criminal offenses: possess a firearm in furtherance of a drug trafficking crime, in violation of 18 U.S.C. § 924(c), specifically, Possession

with Intent to Distribute a Controlled Substance, Marihuana, 21 U.S.C. § 841(a)(1).

/S/ RUSSELL JOHNSON
Russell Johnson, Special agent
Bureau of Alcohol, Tobacco,
Firearms and Explosives

Dated: January 12, 2023.

Pursuant to Rule 4.1 of the Federal Rules of Criminal Procedure, the affiant appeared before me via reliable electronic means (telephone), was placed under oath, and attested to the contents of this written affidavit.


Honorable Joi Elizabeth Peake
United States Magistrate Judge
Middle District of North Carolina